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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/931,694	08/16/2001	Frank Puttkammer	010469	3407

7590 12/10/2001

Law Offices of Karl Hormann
86 Sparks Street
Cambridge, MA 02138-2216

EXAMINER

HAMDAN, WASSEEM H

ART UNIT	PAPER NUMBER
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2858

DATE MAILED: 12/10/2001

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/931,694

Applicant(s)

PUTTKAMMER, FRANK

Examiner

Wasseem H Hamdan

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

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Part III - DETAILED ACTION

Drawings

1. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the limitation in claims 1-16 must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

For example regarding claim 1, drawings do not show the limitation “storing a signal representative of the security indicium of a genuine document”; applying a voltage to the security indicium by capacitive coupling; measuring the voltage in the security indicium and deriving a signal representative of the measured voltage; and comparing the measured voltage signal against the stored signal”. Correction is required.

Abstract

2. The abstract of the disclosure is objected to because it should be all one paragraph. Correction is required. See MPEP § 608.01(b).

Specification

3. In the Brief Summary of the Invention section on page 21: line 21, there is no need for the “comma” after “of” and before “a security”.

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Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1, 2, are rejected under 35 U.S.C. 103(a) as being unpatentable over Weber (US Patent 4,255,652).

Regarding claim 1, Weber discloses a method of testing the authenticity of a document provided with at least one optico-diffractively effective metallized security indicium [FIG. 2; FIG. 3; column 2: lines 66-67; column 3: lines 1-10], comprising the steps of:

storing a signal representative of the security indicium of a genuine document [FIG. 7 (50); column 7: lines 61-68; column 8: lines 1-5];

moving a document along a predetermined path [FIG. 3 (3)];

applying a voltage to the security indicium by capacitive coupling [FIG. 3 (25); [FIG. 2 (2A, 2B, and 2C); column 3: lines 11-27];

comparing the measured voltage signal against the stored signal [FIG. 7 (50); column 7: lines 36-61].

Weber discloses the essential elements of the claimed invention. However, Weber does not explicitly disclose measuring the voltage in the security indicium. Weber discloses measuring discharge and determine the character and deriving a signal representative of the

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measured voltage [FIG. 7; column 4: lines 25-38; column 7: lines 36-51] which is the same technology. It would have been obvious to a person having ordinary skill in the art at the time of the invention was made to modify the teachings of Weber by including measuring the voltage in the security indicium. The skilled artisan would have been motivated to modify Weber as above for the purpose of obtaining an accurate method to match the document.

Regarding claim 2, Weber discloses the step of altering the movement of the document in response to a difference between the stored signal and the measured voltage signal [FIG. 7].

6. Claims 3-7, are rejected under 35 U.S.C. 103(a) as being unpatentable over Weber (US Patent 4,255,652) in view of Berger et al. (US Patent 6,165,592) or D'Amato et al. (US Patent 5,003,915).

Regarding claim 3, Weber discloses the essential elements of the claimed invention. However, Weber does not explicitly disclose optico-diffractively effective security indicium is a hologram comprising a plurality of discontinuous metallization segments. Berger et al. disclose optico-diffractively effective security indicium is a hologram comprising a plurality of discontinuous metallization segments [FIG. 2; FIG. 3; column 3: lines 36-45; column 5: lines 27-40]; D'Amato et al. [FIG. 3; FIG. 5]. It would have been obvious to a person having ordinary skill in the art at the time of the invention was made to modify the teachings of Weber by including optico-diffractively effective security indicium is a hologram comprising a plurality of

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discontinuous metallization segments. The skilled artisan would have been motivated to modify Weber as above for the purpose of obtaining an accurate and high speed method to match the document.

Regarding claim 4, Weber discloses the essential elements of the claimed invention. However, Weber does not explicitly disclose the optico-diffractively effective security indicium is a hologram comprising a plurality of metallization segments of different thicknesses. Berger et al. [FIG. 2; FIG. 1: lines 15-25; column 2: lines 39-45; column 3: lines 36-45; column 5: lines 27-40] or D'Amato et al. [FIG. 3] disclose the optico-diffractively effective security indicium is a hologram comprising a plurality of metallization segments of different thicknesses. It would have been obvious to a person having ordinary skill in the art at the time of the invention was made to modify the teachings of Weber by including the optico-diffractively effective security indicium is a hologram comprising a plurality of metallization segments of different thicknesses. The skilled artisan would have been motivated to modify Weber as above for the purpose of obtaining an accurate method to match the document.

Regarding claim 5, Weber disclose the essential elements of the claimed invention. However, Weber does not explicitly discloses elements responsive to electromagnetic radiation of a predetermined frequency range. Berger et al. disclose the optico-diffractively effective security indicium is a hologram comprising a plurality of discontinuous metallization segments

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with interspersed elements responsive to electromagnetic radiation [FIG. 2; FIG. 3; column 3: lines 36-45; column 5: lines 27-40] which it is obvious that frequency range must be used. It would have been obvious to a person having ordinary skill in the art at the time of the invention was made to modify the teachings of Weber by including elements responsive to electromagnetic radiation of a predetermined frequency range. The skilled artisan would have been motivated to modify Weber as above for the purpose of evaluating the data to be used in matching the document.

Regarding claim 6, Weber discloses the essential elements of the claimed invention. However, Weber does not explicitly disclose ultra violet light and the responsive elements comprise a dye fluorescing when irradiated by ultra violet light. Berger et al. disclose ultra violet light and the responsive elements comprise a dye fluorescing when irradiated by ultra violet light [FIG. 2; FIG. 3; column 3: lines 17-59; column 4: lines 4-11, and lines 42-59]. It would have been obvious to a person having ordinary skill in the art at the time of the invention was made to modify the teachings of Weber by including ultra violet light and the responsive elements comprise a dye fluorescing when irradiated by ultra violet light. The skilled artisan would have been motivated to modify Weber as above for the purpose of evaluating the data to be used in matching the document.

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Regarding claim 7, Weber discloses the essential elements of the claimed invention. However, Weber does not explicitly disclose the responsive elements comprise a light absorbing substance. Berger et al. disclose the responsive elements comprise a light absorbing substance [FIG. 2; FIG. 3; column 3: lines 17-59; column 4: lines 4-11, and lines 42-59]. It would have been obvious to a person having ordinary skill in the art at the time of the invention was made to modify the teachings of Weber by including the responsive elements comprise a light absorbing substance. The skilled artisan would have been motivated to modify Weber as above for the purpose of evaluating the data to be used in matching the document.

Conclusion

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Wasseem Hamdan whose telephone number is (703) 305-3968. The examiner can normally be reached Monday-Thursday from 700AM-400PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Safet Metjahic can be reached on (703) 308-1436.

The fax phone number for this Art Unit is (703)308-7722 or (703)308-7724.

Any inquiry of a general nature or relating to the status of this application should be directed to the Receptionist at (703) 305-3800.

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8. **Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

(703) 308-9051, (for formal communications intended for entry, please label
"FORMAL" and sign as attorney of record)

Or:

(703) 305-9724 (for informal or draft communications, please label

"PROPOSED" or "DRAFT" and prominently label PLEASE DELIVER
DIRECTLY TO EXAMINER)

Hand-delivered responses should be brought to Crystal Plaza 4 [fourth Floor
(Receptionist)], 2201 South Clark Place, Arlington, VA. 22202.

Wasseem H. Hamdan



November 29, 2001



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